

RCE/2823  
Mail Stop RCE**REQUEST FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 09/842,403

Filing Date: April 26, 2001

First Named Inventor: Shinichi ITO et al.

Group Art Unit: 2823

Examiner: M. Estrada

Attorney Docket Number: 04329.2566

Attorney Customer Number: 22,852

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**Note:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for patent term adjustment provisions of the AIPA. See "Changes to Application Examination and Provisional Application Practice," Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000). Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114:** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, application must request non-entry of such amendment.

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief of Reply Brief previously filed on [Date] \_\_\_\_\_.
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed:
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement
- iv. ☐ Other \_\_\_\_\_

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of [number] months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other \_\_\_\_\_

**3. Fees**

- a. ☒ The filing fee is calculated as follows:
- i. ☐ \$770.00 RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Petition for extension of time for ([number] Months) \$[Fee]
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$770.00 enclosed.
- c. ☒ The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

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TC 2800 MAIL ROOM**Signature of Applicant, Attorney, or Agent Required**

Name: Richard V. Burgujian

Reg. No.: 31,744

Signature: By: *Richard V. Burgujian* Reg 24,014

Date: 10/28/03

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Date:



PATENT  
Customer No. 22,852  
Attorney Docket No. 04329.2566

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Shinichi ITO et al. ) Group Art Unit: 2823  
)  
Application No.: 09/842,403 ) Examiner: M. Estrada  
)  
Filed: April 26, 2001 )  
)  
For: FILM FORMATION METHOD, )  
SEMICONDUCTOR ELEMENT )  
AND METHOD THEREOF, AND )  
METHOD OF MANUFACTURING )  
A DISK-SHAPED STORAGE )  
MEDIUM )

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**AMENDMENT**

This Amendment is being filed along with a Request for Continued Examination (RCE) and fulfills the requirement for a submission under 37 C.F.R. § 1.114. In reply to the Final Office Action dated July 28, 2003, the period for reply extending to October 28, 2003, please amend the application as follows:

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks** begin on page xx of this paper.

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